

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**SUMMONS FOR JUDGMENT NO.513 OF 2005
IN
SUMMARY SUIT NO.1207 OF 2005**

Goodlas Nerolac Paints Ltd. ..Plaintiff.

Vs.

Papilon Paints ..Defendants.

Mr.Bimal Bhabdda i/b.M/s.Apte & Co. for the
Plaintiff.

Mr.H.R.Pawar for the Defendants.

**CORAM : S.J. VAZIFDAR, J.
DATED : 13TH DECEMBER, 2005**

P.C. :

The Defendants have very fairly and honestly agreed to a decree on admission. The Defendants admit that there is no defence to the suit except as regards the interest. The Defendants only claim instalments in view of the liquidity problems.

2. The invoices do not contain any term for interest. Interest however was demanded by the Plaintiff's Advocate's notice dated 1.9.2004 at the rate of 18% per annum.

3. In the circumstances, Summons for Judgment is made absolute and the suit is decreed in the sum of

Rs.2,56,397/- together with interest thereon at 18% per annum from 1.9.2004 till the date of filing of the suit and thereafter at the rate of 6% per annum on the principal sum of Rs.2,56,397/-.

4. The Defendants shall be entitled to pay the above amount in 12 instalments commencing from 1.2.2006. The subsequent instalments shall be paid on or before the first day of each succeeding month.

5. Needless to add, the interest on the instalments shall be on the basis of reducing balance.

Refund as per rules.